



Express Mail Mailing Label No. EV 630985945 US

PATENT  
Attorney Docket No. MDS-009CN

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S): Modell et al. CONFIRMATION NO.: 6590  
SERIAL NO.: 09/841,325 GROUP NO.: 3737  
FILING DATE: April 24, 2001 EXAMINER: Smith, Ruth S.  
TITLE: Spectral Volume Microprobe Arrays

Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**TENTH SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

In accordance with the provisions of 37 C.F.R. 1.97 and 1.98, Applicants hereby make of record the patents and publications listed on the accompanying Form PTO-1449, and other information contained herein, for consideration by the Examiner in connection with the examination of the above-identified patent application. In accordance with 37 C.F.R. 1.98(a)(2), only copies of the foreign patent documents are enclosed.

**REMARKS**

In accordance with the provisions of 37 C.F.R. 1.97, this statement is being filed (CHECK ONE):

- ☒ (1) within three (3) months of the **filing date** of a national application other than a continued prosecution application under 37 C.F.R. 1.53(d), or within three (3) months of the **date of entry of the national stage** as set forth in 37 C.F.R. 1.491 in an international application, or before the mailing of the **first Office action** on the merits, or before the mailing of a **first Office action** after the filing of a request for continued examination under 37 C.F.R. 1.114; or
- ☐ (2) after the period defined in (1) but before the mailing date of a **final action** or a **notice of allowance** under 37 C.F.R. 1.311, and
- ☐ the requisite Statement is below, **OR**
- ☐ the requisite fee under 37 C.F.R. 1.17(p), namely **\$180.00**, is included herein, or
- ☐ (3) after the mailing date of a **final action** or **notice of allowance** but before the payment of the **issue fee**, **AND**

- ☐ the requisite Statement is below, **AND**
- ☐ the requisite petition fee under 37 C.F.R. 1.17(p), namely **\$180.00** is included herein.

Additionally, Applicant wishes to call to the Examiner's attention any Office Actions issued in the following commonly-owned, co-pending patent applications:

- 1) U.S. Serial No. 11/127,062, Attorney Docket No. MDS-009C2, filed on 5/11/05, by DeBaryshe et al.;
- 2) U.S. Serial No. 11/018,665, Attorney Docket No. MDS-012DV, filed on 12/21/04, by Nordstrom et al.;
- 3) U.S. Serial No. 10/068,133, Attorney Docket No. MDS-013AC2, filed on 2/5/02, by Kaufman et al.;
- 4) U.S. Serial No. 10/911,996, Attorney Docket No. MDS-013AC3, filed on 8/5/04, by Kaufman et al.;
- 5) U.S. Serial No. 09/738,147, Attorney Docket No. MDS-013B, filed on 12/15/00, by Kaufman et al.;
- 6) U.S. Serial No. 10/411,777, Attorney Docket No. MDS-013BC1, filed on 04/11/03, by Kaufman et al.;
- 7) U.S. Serial No. 10/870,672, Attorney Docket No. MDS-014C2, filed on 6/17/04, by Modell et al.;
- 8) U.S. Serial No. 10/122,429, Attorney Docket No. MDS-015CN, filed on 4/12/02, by Nordstrom et al.;
- 9) U.S. Serial No. 10/701,123, Attorney Docket No. MDS-016CN, filed on 11/4/03, by Modell et al.;
- 10) U.S. Serial No. 10/872,128, Attorney Docket No. MDS-020C1, filed on 6/18/04, by Costa et al.;
- 11) U.S. Serial No. 10/071,932, Attorney Docket No. MDS-022C1, filed on 2/8/02, by Nordstrom et al.;
- 12) U.S. Serial No. 10/192,820, Attorney Docket No. MDS-028, filed on 7/10/02, by Schomacker et al.;
- 13) U.S. Serial No. 10/099,881, Attorney Docket No. MDS-030, filed on 3/15/02, by Kaufman et al.;
- 14) U.S. Serial No. 10/273,511, Attorney Docket No. MDS-031, filed on 10/18/02, by Clune et al.;
- 15) U.S. Serial No. 10/894,356, Attorney Docket No. MDS-032C1, filed on 7/19/04, by Zelenchuck et al.;
- 16) U.S. Serial No. 10/848,735, Attorney Docket No. MDS-033C1, filed on 5/19/04, by Schomacker et al.;
- 17) U.S. Serial No. 10/295,794, Attorney Docket No. MDS-034, filed on 11/15/02, by Schomacker et al.;
- 18) U.S. Serial No. 10/828,624, Attorney Docket No. MDS-034DV, filed on 4/21/04, by Schomacker et al.;
- 19) U.S. Serial No. 10/418,922, Attorney Docket No. MDS-035, filed on 4/18/03, by Flewelling et al.;
- 20) U.S. Serial No. 10/418,902, Attorney Docket No. MDS-035A, filed on 4/18/03, by Jiang et al.;
- 21) U.S. Serial No. 10/418,974, Attorney Docket No. MDS-035B, filed on 4/18/03, by Jiang;
- 22) U.S. Serial No. 10/418,668, Attorney Docket No. MDS-035D, filed on 4/18/03, by Costa et al.;
- 23) U.S. Serial No. 10/418,975, Attorney Docket No. MDS-035E, filed on 4/18/03, by Jiang et al.;
- 24) U.S. Serial No. 10/418,415, Attorney Docket No. MDS-035F, filed on 4/18/03, by Schomacker et al.;
- 25) U.S. Serial No. 10/419,181, Attorney Docket No. MDS-035G, filed on 4/18/03, by Jiang et al.; and
- 26) U.S. Serial No. 10/418,973, Attorney Docket No. MDS-035H, filed on 4/18/03, by Schomacker et al.
- 27) U.S. Serial No. 10/530,741, Attorney Docket No. MDS-037, filed on 4/7/05, by Flewelling et al.;

It is respectfully requested that each of the patents and publications listed on the attached Form PTO-1449, and other information contained herein, be made of record in this application.

**STATEMENT**

As required under 37 C.F.R. 1.97(e), Applicant(s), through the undersigned, hereby state either that [check the appropriate space only if either (2) or (3) is checked on the previous page and the Statement is required]:

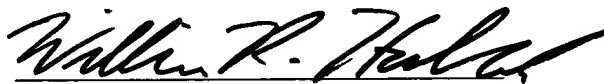
- ☐ 1. Each item of information contained in the Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application **not more than three months** prior to the filing of the Information Disclosure Statement; or
- ☐ 2. No item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing this Statement after making reasonable inquiry, no item of information contained in the Information Disclosure Statement was known to **any individual** designated in 37 C.F.R. 1.56(c) **more than three months** prior to the filing of the Information Disclosure Statement.

Date: March 20, 2006  
Reg. No. 53,002

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Respectfully submitted,



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FORM PTO - 1449				ATTORNEY DOCKET NO.: MDS-009CN					
TENTH INFORMATION DISCLOSURE STATEMENT				APPLICANT(S): Modell <i>et al.</i>					
				SERIAL NO.: 09/841,325					
				FILING DATE: April 24, 2001 GROUP: 3737					
U.S. PATENT DOCUMENTS									
EXAM. INIT.		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE IF APPROPRIATE		
	A308	5,441,053	08/15/1995	Lodder <i>et al.</i>					
	A309	5,285,490	02/08/94	Bunch <i>et al.</i>					
	A310	5,412,563	05/02/95	Cline <i>et al.</i>	345	420	09/16/93		
	A311	6,067,371	05/23/00	Gouge <i>et al.</i>	382	128	02/13/98		
	A312	6,092,722	07/25/00	Heinrichs, <i>et al.</i>					
	A313	6,101,408	08/08/00	Craine <i>et al.</i>					
	A314	6,126,899	10/03/00	Woudenberg <i>et al.</i>					
	A315	6,289,236	09/11/2001	Koenig <i>et al.</i>					
	A316	6,465,968	10/15/02	Sendai					
	A317	6,571,119	05/27/2003	Hayashi					
	A318	6,633,657	10/14/03	Kump <i>et al.</i>					
	A319	6,466,687	10/15/02	Uppaluri <i>et al.</i>	382	128	02/11/98		
	A320	6,640,000	10/28/03	Fey <i>et al.</i>					
	A321	6,671,540	12/30/03	Hochman					
	A322	6,717,668	04/06/04	Treado, <i>et al.</i>					
	A323	6,718,055	04/2004	Suri	382	128			
	A324	6,839,661	01/04/2005	Costa <i>et al.</i>					
	A325	6,885,763	04/2005	Ogino	382	131			
	A326	6,975,899	12/13/2005	Faupel <i>et al.</i>					
FOREIGN PATENT DOCUMENTS									
EXAM. INIT.		DOCUMENT NUMBER	DATE	COUNTRY CODE	CLASS	SUB CLASS	FILING DATE	ABSTRACT ONLY	ENGLISH LANG (Y/N)
	B41	1246124A2	10/02/2002	EP				N	Y
	B42	96/41152	12/19/1996	WO				N	Y
EXAMINER					DATE CONSIDERED				



OTHER ART, JOURNAL ARTICLES, ETC.		
EXAM. INIT.	OTHER DOCUMENTS: (Including Author, Title, Date, Relevant Pages, Place of Publication)	
	C115	Fielding et al., "Prediction of Outcome After Curative Resection for Large Bowel Cancer," <u>The Lancet</u> , October 18, 1986, pp. 904-907.
	C116	Lin et al., "Evidence of possible carcinogenesis during conformational changes in bladder mucosa induced by bladder outlet obstruction," Cancer Letters, 79 (1994), 221-226.
	C117	Zhao, Project Abstract, "Integration of 3-D Imaging Technology and Feature Extraction Algorithm Designs," Center for Engineering Education and Practice, University of Michigan – Dearborn, Feb. 1999.
EXAMINER		DATE CONSIDERED

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EXAMINER	DATE CONSIDERED
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